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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/556,949	04/21/2000	Yasuo Nomura	SONY-T0472	6510
22850	7590	05/18/2006	EXAMINER	
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			ONUAKU, CHRISTOPHER O	
			ART UNIT	PAPER NUMBER
			2621	

DATE MAILED: 05/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/556,949

Applicant(s)

NOMURA ET AL.

Examiner

Christopher Onuaku

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _____ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 March 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) 8-24 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 and 25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-7&25 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-7&25 rejected under 35 U.S.C. 103(a) as being unpatentable over Aotake (US 6,411,771) in view of Proehl et al (US 6,118,450).

Regarding claim 1, Aotake discloses a picture processing apparatus/method, and a recording medium being capable of carrying out search of a desired scene with ease, comprising:

- a) recording unit configured to record a first supplied picture (see Fig.5, col.8, lines 19-55; col.23, lines 38-51);
- b) reproducing unit configured to reproduce a second recorded picture (see col.35, line 9-25);

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c) display controlling unit configured to provide display control in such a manner as to display a first user interface when the recording unit records the first picture supplied (see col.23, lines 38-51) and to display a second user interface wherein the reproducing unit reproduces the second picture recorded (see col.35, lines 9-25);

Aotake fail to explicitly disclose wherein the first user interface displays recording button through which to input orders for operating the recording unit and a playback button through which to input orders for operating the reproducing unit and second user interface displays a recording button through which to input orders for operating the recording unit, and a playback button through which to input orders for operating the reproducing unit.

Proehl et al teach a graphic user interface for use with a multi-recording media storage apparatus which includes a determiner for determining the identity of at least one of a plurality of recording media retained within the apparatus and an accumulator for accumulating statistical information regarding the identity of that medium, including enhanced graphic display 170 which comprises a television display, and a sort selection button 1150, a lineup button 1242, a view selection button 1244, record button 1246, play button 1248, exit button 1249, wherein a user can select number of CDs. By selecting the record button 1246 the selected CD is recorded unto the mini disc, or select the play button to play the selected disc. Finally, exit button 1249 is selected to exit the mode (mode 1 of "first" interface) represented by the display screen of Fig.12 and return to the mode of Fig.11. When a different CD is selected, a different mode/interface ("second" interface) is entered. In this different mode, the newly selected

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CD can be recorded by selecting the record button 1246 or the newly selected CD can be played by selecting the play button 1248 (see Fig.3,11&12; col.9, lines 6-65).

Selecting different interfaces for selected different CDs provides the desirable advantage of facilitating the playing/recording, for example, of the different CDs, thereby facilitating the multi-recording/playing of different CDs, using different interface modes.

It would have been obvious to modify Aotake by realizing Aotake with the means to select different interfaces for selected different CDs since this provides the desirable advantage of facilitating the playing/recording, for example, of the different CDs, thereby facilitating the multi-recording/playing of different CDs, using different interface modes.

Regarding claim 2, Aotake discloses wherein the recording means records simultaneously at least one picture making up the first picture (see col.35, lines 38-52), here the word "REC" is displayed to indicate that the recordingg process is going on at the instant

Regarding claim 3, Aotake discloses wherein the reproducing means reproduces simultaneously at least one picture making up the second picture (see col.35, lines 16-25), here the word "PLAY" is displayed to indicate that the reproducing process is going on at the instant

Regarding claim 4, Aotake discloses wherein the display controlling means provides display the same position (see col.39, lines 15-22 and col.8, lines 33-36), here

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Aotake discloses that in the shared mode, the MPEG1 real time encoder board 213 is allowed to write (control in such a manner that the first and second user interface appear in substantially record) an MPEG system stream into the MPEG file, and, at the same time, the MPEG1 software decoder 201A is allowed to read out (playback) the MPEG stream as well. And following the processes of recording and playing back discussed above, when the recording and playing back processes are executed at the same time, in the shared mode, the first screen (slip recorder main window 301 of Fig.7) and the second screen (playback window 341 of Fig.15) will appear substantially the same poison.

Regarding claim 5, Aotake discloses wherein the display controlling means displays the first user interface in such a manner as to place a first and second display thereof into a first and a second state respectively, the first display in the first state accepting an input of orders via a recording button for operating the recording means, the second display in the second state accepting an input of orders via a playback button for operating the reproducing means, the display controlling means further displaying the second user interface in such a manner as to place the first and second display thereof into the second and the first state respectively, the first display in the second state accepting an input of orders via a recording button for operating the recording means, the second display in the first state accepting an input of orders via a playback button for operating the reproducing means (see claims 2&3 discussions

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above), here examiner reads the first state as the recording state and the second state as the reproducing state.

Regarding claim 6, the claimed limitations of claim 6 are accommodated in the discussions of claim 1 above.

Regarding claim 7, the claimed limitations of claim 7 are accommodated in the discussions of claim 1 above.

Regarding claim 25, the claimed limitations of claim 25 are accommodated in the discussions of claim 1 above.

4. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

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Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher Onuaku whose telephone number is 571-272-7379. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Groody can be reached on 571-272-7950. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


COO
5/4/06


James J. Groody
Supervisory Patent Examiner
Art Unit 262-2621